

The Honorable Lauren King

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, *et al.*,*Plaintiffs,*

v.

DONALD J. TRUMP, in his official capacity as
President of the United States of America, *et al.*,*Defendants.*

Case No. 2:25-cv-00244

STATE OF ALABAMA’S MOTION FOR
LEAVE TO FILE BRIEF AS *AMICUS*
CURIAE IN OPPOSITION TO
PLAINTIFFS’ MOTION FOR
TEMPORARY RESTRAINING ORDER

The State of Alabama respectfully requests leave to file an amicus brief in opposition to Plaintiffs’ motion for a temporary restraining order. Counsel for Plaintiffs do not oppose this motion. At the time of filing (or at least shortly before), counsel for Defendants had not yet appeared in the case, so counsel for Alabama has been unable to contact them for their position. Granting the motion, however, would not prejudice Defendants since Alabama’s proposed amicus brief opposes Plaintiffs’ request for emergency relief.

Alabama’s proposed amicus brief would be helpful to this Court because Alabama “has unique information ... that can help the court beyond the help that the lawyers for the parties are able to provide.” *Macareno v. Thomas*, 378 F. Supp. 3d 933, 940 (W.D. Wash. 2019) (quoting *NGV Gaming, LTD v. Upstream Point Molate, LLC*, 355 F. Supp. 2d 1061, 1067 (N.D. Cal. 2005)).

1 For nearly three years, Alabama has been litigating to defend its law restricting access to the
2 pediatric sex-change procedures at issue here. In the process, it has engaged in extensive discovery
3 that has direct bearing on the issues before this Court. In their motion for a temporary restraining
4 order and accompanying evidentiary exhibits, Plaintiffs present a carefully curated narrative that
5 pediatric sex-change procedures are safe, effective, well-researched, and based on reliable and
6 trustworthy standards from the World Professional Association for Transgender Health (WPATH).
7 That narrative is necessary to their claim for emergency relief, particularly when it comes to the
8 equities.

9 The court-ordered discovery Alabama received from WPATH directly undermines this
10 narrative. As WPATH's own documents show, pediatric sex-change procedures have *not* been
11 shown to be safe and effective at treating gender dysphoria, and far from being evidence-based,
12 the WPATH Standards were intentionally crafted to be used in court to secure political victories.
13 In considering the equities in this case, the Court should be aware that there is—at the least—a
14 very different side to the story than the one Plaintiffs present. In its proposed amicus brief,
15 Alabama describes just some of what it learned through discovery concerning the reliability (or
16 lack thereof) of the WPATH Standards that Plaintiffs here rely on.

17 “The classic role of *amicus curiae* is to assist a court in a case of public interest by
18 supplementing the efforts of counsel, and generally courts have exercised great liberality in
19 permitting amicus briefs.” *El Papel LLC v. Inslee*, No. 220CV01323RAJJRC, 2020 WL 6158825,
20 at *1 (W.D. Wash. Oct. 21, 2020) (quotations omitted). Alabama is in the unique position to offer
21 this Court additional evidence it should consider before ruling on Plaintiffs' motion for emergency
22 relief. The Court should grant Alabama's motion and allow it to file its proposed amicus brief, a
23 copy of which has been submitted with this motion.

1 DATED: February 11, 2025

Respectfully submitted,

2 I certify that this motion contains 459 words, in
3 compliance with the Local Civil Rules. See Local
4 Civil Rule 7(e)(3).

5 s/ Simon Peter Serrano

Simon Peter Serrano, WSBA No. 54769

6 s/ Brett Rogers

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17 *Counsel for State of Alabama as amicus curiae*

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of February 2025, I electronically filed the foregoing document with the Clerk of the United States District Court using the CM/ECF system which will send notification of such filing to all parties who are registered with the CM/ECF system.

DATED this 11th day of February 2025.

/s/ Brett Rogers
Brett Rogers